



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: WWW.DPR.DELAWARE.GOV

PUBLIC MEETING MINUTES: DELAWARE BOARD OF MEDICAL LICENSURE AND DISCIPLINE

MEETING DATE AND TIME: Tuesday, September 7, 2010 at 2:30 p.m.

PLACE: 861 Silver Lake Boulevard
Second Floor Conference Room A
Dover, Delaware

MINUTES APPROVED (October 5, 2010)

MEMBERS PRESENT

Raymond Moore, Public Member, President, Presiding
Oluseyi Senu-Oke, M.D., Professional Member, Vice Chairperson 2:48 p.m. - 5:05 p.m.
Stephen Cooper, M.D., Professional Member, Secretary
Gregory Adams, M.D., Professional Member
John Banks, Public Member
George Brown, Public Member 2:48 p.m. - 4:21 p.m.
Vonda Calhoun, Public Member
Thomas Desperito, M.D., Professional Member
Sophia Kotliar, M.D., Professional Member
Vincent Lobo, D.O., Professional Member 2:48 p.m. - 5:09 p.m.
Karl McIntosh, M.D., Professional Member
Anthony Policastro, M.D., Professional Member
Karyl Rattay, M.D., Professional Member 2:48 p.m. - 4:30 p.m.
Daryl Sharman, M.D., Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

James Collins, Division Director
Gayle MacAfee, Executive Director
Allison Reardon, Deputy Attorney General
Kay Warren, Deputy Director
Jessica Williams, Administrative Specialist II

MEMBERS ABSENT

Sharon Jones, Public Member
Joseph Parise, D.O., Professional Member

ALSO PRESENT

Jeffrey W. Bullock, Secretary of State
Paula Paul, Delaware Academy of Physician Assistants
Lisa Schieffert, Delaware Healthcare Association
Kenneth Suter, Sr., Family Respiratory
Wayne E. Palis, Family Respiratory
Susan Gsell-Murphy, Family Respiratory

Dr. Sidney Grobman
Dr. E. F. Joseph Siebold, University of Delaware
David Dryden, Division of Professional Regulation
Dr. Eileen O'Neill
Juli LaBadia, Court Reporter, Wilcox & Fetzer

CALL TO ORDER

Mr. Moore called the meeting to order at 2:48 p.m.

REVIEW AND APPROVAL OF MINUTES

The board reviewed the July 20, 2010 executive session and meeting minutes for approval. Dr. Policastro moved, seconded by Dr. Desperito, to approve the meeting minutes. Motion unanimously carried. Dr. Policastro moved, seconded by Dr. Desperito, to approve the executive session minutes. Motion unanimously carried.

UNFINISHED BUSINESS

Update on Drug Monitoring Program – Dave Dryden, R.Ph., J.D., Board of Pharmacy

Mr. Dryden addressed the board to discuss the new Drug Monitoring Program. Senate Bill 235 was approved during the last legislative session. The Drug Monitoring Program is an electronic database that pharmacies and dispensers use to document controlled substances. The program currently is only used for controlled substances. This allows providers to monitor a patient's usage. This program will allow physicians and some law enforcement to see how many pharmacies a patient has been to and how many physicians have prescribed the same medication. Delaware has applied for two federal grants to assist in the monetary costs of the Drug Monitoring Program.

Recognize Delaware Secretary of State Jeffrey W. Bullock

Secretary of State Jeffrey Bullock addressed the board and extended his thanks for their efforts and to recognize their personal sacrifices they have made to protect the public. Mr. Bullock also discussed new laws, regulations and changes to the Division of Professional Regulation. The Division of Professional Regulation has been approved to hire additional investigators, hearing officers as well as a paralegal. Mr. Bullock opened the floor for those who had any questions and/or comments. Mr. Moore thanked Mr. Bullock, Mr. Collins and Ms. Warren.

UNFINISHED BUSINESS

Tabled Deliberations on Proposal to Deny Hearing Held on May 4, 2010 for Sidney M. Grobman, D.O. (3:00 p.m.)

Ms. Reardon advised the board that it was premature to engage in deliberations since the results of the Special Purpose Examination (SPEX), the post licensure examination, are not available yet. Mr. Moore asked Dr. Grobman, if he had any additional information that he wished to present to the board.

At 3:21 p.m., Mr. Moore allowed Dr. Grobman to present additional evidence. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Mr. Moore read the purpose of the hearing. Ms. Reardon verified that Dr. Grobman waived his right to counsel. Dr. Grobman was sworn in, and supplemented the board with additional information regarding the SPEX exam. At 3:34 p.m., Dr.

Grobman went off the record. It was decided to table the deliberations until the results of the SPEX exam are before the board.

The board observed a brief recess 3:35 p.m. – 3:44 p.m.

Proposal to Deny Hearing Scheduled for Eileen O'Neill, M.D. (3:30 p.m.)

At 3:44 p.m., Mr. Moore called the proposal to deny hearing to order on the application submitted by Eileen O'Neill, M.D. The board introduced themselves for the record. Verbatim testimony was taken by the court reporter. Mr. Moore read the purpose of the hearing. The application packet and supporting documents were marked as Board Exhibit 1 for the record. Ms. Reardon verified that Dr. O'Neill, waived her right to counsel. Dr. O'Neill was sworn in and had letters of recommendations summarizing her experience marked as Applicant Exhibit 1 for the record. She presented her case and responded to questions asked by the Board members. Dr. O'Neill introduced her witness, Natalie Tursi, who testified on Dr. O'Neill's behalf. At 4:36 p.m., Mr. Banks moved, seconded by Dr. Senu-Oke, to go off the record to deliberate. Motion unanimously carried. Ms. Reardon requested a few minutes to speak with Dr. O'Neill prior to conducting the deliberations.

Consider Granting Extension of Standing Orders for Registered Nurses at the University of Delaware Student Health Service Center

Dr. E.F. Joseph Siebold was present to answer any questions regarding the Standing Orders. Dr. Policastro moved, seconded by Dr. Sharman to approve the two-year extension of the Standing Orders for Registered Nurses at the University of Delaware. Motion unanimously carried.

Continued Proposal to Deny Hearing Scheduled for Eileen O'Neill, M.D.

At 4:47 p.m., following the deliberations, the board went back on the record. Dr. Policastro moved, seconded by Dr. Senu-Oke, to grant a waiver of the disqualification for licensure. Motion unanimously carried. Dr. Policastro moved, seconded by Mr. Banks to table Dr. O'Neill's application for a license to practice medicine, until her clinical skills could be evaluated and provided to the board. Motion unanimously carried. The hearing concluded at 4:49 p.m.

Review Resumes for Appointments to the Genetic Counselor Advisory Council (4 Genetic Counselors, 1 Physician Member of the Board and 1 Ex-officio Member)

Dr. Policastro moved, seconded by Dr. Cooper to appoint the following individuals to the Genetic Counselor Advisory Council:

Zohra J. Ali-Khan Catts
Marcie A. Parker

Sara Ennis
Sophia Kotliar, M.D.

Beth A. Keena
Karen W. Gripp, M.D. (Ex-Officio)

Motion unanimously carried.

Consider Informational Email to all Physicians regarding Summarized Statutory Requirements with Effective Dates

The board reviewed a draft of an e-mail created by Ms. MacAfee regarding the summarized statutory requirements with effective dates. The only suggestion was to put the statutory requirements in the order of their effective dates and to make it clear to all physicians that they have a duty to report unprofessional conduct.

Superior Court Affirmed the Board's Decision on Keith Sokoloff, D.O.

For informational purposes, the board reviewed the documentation from the Superior Court regarding Keith Sokoloff, D.O.

NEW BUSINESS

Approve Applications for Registration and Licensure

M.D.'s for Licensure

Physicians for Licensure – Medical – Mr. Banks moved, seconded by Dr. Desperito, to approve the following medical doctors for a certificate to practice medicine. Motion unanimously carried.

Elsayed Abdelsalam	Jacob Abraham	Jill Allbritton	Alfred Atanda, Jr.
Thuya Aye	Aline Baghdassarian	Behin Barahimi	Ambareen Bharmal
Frank Briglia	David Chung	Anca Croitoru	Andrew Curtin
Matthew Eichenbaum	James Frede	Seth Goodman	Ursula Guillen
Kristen Halm	Nazia Hasan	Gerard Hogan	Sanjiv Lakhanpal
Margarita Lorch	Michelle Maresca	Farouk Marzouk	Andrea Matthews
Benjamin Mazal	Daniel Meara	Regina Meara	Patrice Moore
Elzbieta Mroz	Marvin Nielsen	Edgardo Ordonez	Vandna Passi
Sanjeev Pathak	Rupal Pinto	Lakshmi Potakamuri	William Reid
Thomas Riccio	Michael Rosenthal	Alejandro Sardi-Freitez	Hasib Sarij
Michael Shea	Dawd Siraj	Rosilyn Smith	Sarah Weihmiller
Maurice Wiart	Dennis Workman	Misty Wray	Yin Wu
Joseph Zaremba	Daming Zhu	Alexander Zito	

D.O.'s for Licensure

Physicians for Licensure – Osteopathic – Mr. Banks moved, seconded by Dr. Desperito, to approve the following osteopathic doctors for a certificate to practice medicine, as all applicants had met the licensure requirements as set forth by statute and to place Daniel Pascucci on the list of D.O.s for licensure. Motion unanimously carried.

Alexandra Landen	Daniel Pascucci	Teshina Wilson
------------------	-----------------	----------------

Physician Assistant(s) for Licensure

Mr. Banks moved, seconded by Dr. Desperito, to approve the following physician assistants for licensure as noted below. Motion unanimously carried.

Michael Chan	Eileen DeAngelis	Julie Hicks	Katherine Kaminski
Allison Karish	Megan Makdad	Rachel Manco	Tracy Marchetta
Elizabeth Stawicki			

Physician Assistants for Prescriptive Authority – Controlled and Non-Controlled

Mr. Banks moved, seconded by Dr. Desperito, to approve the following physician assistants for controlled and non-controlled prescriptive authority as noted below. Motion unanimously carried.

Brett Blemle	Eileen DeAngelis	Rex Evans	Nicole Fisher
--------------	------------------	-----------	---------------

Clinton Harris
James Lust
Melissa Meyer
April Price
Lauren Wright

Julia Hicks
Amanda Magee
Gregg Morris
Breckinridge Smith

Katherine Kaminski
Megan Makdad
Elizabeth Outten
John Sullivan

Allison Karish
Pamela Manzi
Malcolm Owens
Shadrienne Williams

Advanced Practice Nurses for Prescriptive Authority

Mr. Banks moved, seconded by Dr. Desperito, to approve the following Advanced Practice Nurses for Prescriptive Authority as noted below. Motion unanimously carried.

Practitioner Specialty Type

Collaborator

Adult Health Clinical Nurse Specialist

Meriam Dennie

G. Fulda, MD - CCHS

Certified Nurse Midwife

Colleen Lynch

A. McCracken, MD - All About Women

Family Nurse Practitioner

Jennifer Beare

K. Cook, MD

Sallyanne Fisher

D. Panasuk, MD - VAMC Wilmington

Margaret Shaw

D. Newswanger, DO - Ideal Image

Cheryl Zdana

E. Dickinson, MD - Compassionate Pain Management

Pediatric Nurse Practitioner

Kelly Holbert

A. Chidekel, MD - A I duPont Hospital

Psych/Mental Health Clinical Nurse Specialist

Kathleen Potter

A. Sacre, MD - Baylor Women's Correctional

Review Physician Application from George Young, M.D.

The board reviewed the physician application of Dr. George Young. Dr. Lobo moved, seconded by Dr. McIntosh, to propose to deny the application pursuant to 24 Del. C. Section 1720(b)(4). Motion unanimously carried.

Review Physician Application from Albert Michael, M.D.

The board reviewed the physician application of Dr. Albert Michael. It was determined that a waiver would not be needed; therefore, he would be scheduled for an interview.

Sign Certificate of Appreciation for Past Board Member - Galicano Inquito, M.D.

The board affixed their signatures to the Certificate of Appreciation for Dr. Galicano Inquito.

Review Physician Application from Larry Wise, M.D.

The board reviewed the physician application of Dr. Larry Wise. Dr. McIntosh moved, seconded by Dr. Cooper, to propose to deny the application pursuant to 24 Del. C. Section 1720(b)(4). Motion passed with Dr. Policastro abstaining.

Results of Executive Session Discussion

Dr. Policastro moved, seconded by Dr. Cooper, that the board after having reviewed the results of the investigations, determined in the exercise of its discretion, that the following investigations be closed as noted without prosecution in the following cases, including those requiring a letter of concern to be sent to the Respondent. Motion unanimously carried.

Cases Closed

10-71-09
10-107-09
10-71-10
10-94-10

Letter of Concern

10-54-09
10-101-09

Dr. Policastro moved, seconded by Dr. Cooper, to accept the consent agreement on 10-51-09 (William M. Pollock, M.D.). Motion unanimously carried. An Order was circulated for the board members' signatures.

The remaining cases, 10-27-07 and 10-49-10, were tabled until the next meeting.

Public Comment

Individuals were present to discuss the unlicensed personnel in home care which falls under the Respiratory Care Practice Advisory Council.

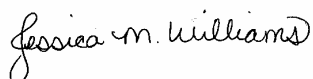
Next Meeting Date

The board will hold their next meeting on Tuesday, October 5, 2010 at 2:30 p.m., in the 2nd floor Conference Room "A" of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

Adjournment

Due to the lack of a quorum, the meeting adjourned at 5:09 p.m.

Respectfully submitted,



Jessica Williams
Administrative Specialist II